

IN THE SENATE OF THE UNITED STATES.

MAY 13, 1858.—Ordered to be printed.

Mr. IVERSON submitted the following

REPORT.

The Committee on Claims, to whom was referred the memorial of Louis F. Tasistro, report :

The memorialist was employed as translator in the State Department, at a salary of \$1,800 per annum. In 1855 he was directed by the Secretary of State "to devote all his leisure to an examination of the materials which have been submitted to the Secretary for a new volume of the American Archives," &c. Mr. Tasistro says that his ordinary duties required and occupied all his time in regular office hours, and that it was necessary for him to devote five or six hours a day, out of office hours, for several months, in the discharge of the extra duty imposed upon him by the Secretary. He asks to be allowed "a just and liberal compensation for the extra work thus performed by him."

This case was before the Senate Committee of Claims of the last Congress, and in answer to an inquiry addressed by their chairman to the Secretary of State the following answer was received :

DEPARTMENT OF STATE,
Washington, February 24, 1857.

SIR: I have received your note of yesterday enclosing the memorial of Mr. L. F. Tasistro, for compensation for extra work while he was a clerk in this department.

When I devolved upon him the examination of the papers referred to in his memorial it was not intended that the service should lay the foundation for extra compensation. He was directed to devote all his leisure to that examination. The leisure referred to was understood by me to mean such part of the time as was not required for his ordinary duties during the regular office hours. He has represented to me that he labored out of office hours on the special work referred to. I have no means of ascertaining how much time was thus spent by Mr. Tasistro.

I have no opinion to express as to the amount of extra compensation he is entitled to receive.

Yours, truly,

W. L. MARCY.

Hon. RICHARD BRODHEAD,

Senate.

It is evident from this letter of the Secretary, as well as upon the face of the instructions requiring the performance of this work, that there was no intention of laying the foundation of a claim for extra compensation. The instructions are as follows, viz: "The Secretary directs that translations of papers of any considerable length will be made by the assistant translator, and revised by Mr. Tasistro. The latter gentleman will devote his leisure to the examination of materials which have been submitted to the Secretary for a new volume of the American Archives."

It thus appears that a portion of Mr. Tasistro's ordinary duty was transferred to the assistant translator for the express purpose of affording Mr. T. the "leisure" which he was required to devote to the particular duty required.

The views entertained by the committee, in regard to this class of claims, are given in a report made by them at the present session (No. 230) in the case of Daniel J. Browne, to which reference is made.

The committee are of opinion that the memorialist presents no just or equitable claim against the United States.